

Posted – March 31, 2011

REGULAR MEETING APRIL 4, 2011

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, April 4, 2011 at 7:00 P.M. (EXECUTIVE SESSION - 5:30 PM and PUBLIC HEARING ON PROPOSED CHARTER AMENDMENTS – 6:00 PM) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of

order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

EXECUTIVE SESSION

Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4., and 42-46-5. (a)

(2) Collective Bargaining (Police, Fire, Public Works and Town Hall Unions) and (5) lease – (JFK School) .

PUBLIC HEARING – ADVERTISED FOR 6:00 PM

Public Hearing (Advertised)

Proposed amendments to the Middletown Town Charter.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

AWARDS & PROCLAMATIONS

1. Memorandum of Town Administrator, re: Employee Recognition Program - Pins of Service First Quarter 2011.

CONSENT

2. Approval of Minutes, re: Special Meeting, March 15, 2011.

- 3. Approval of Minutes, re: Regular Meeting, March 21, 2011.**
- 4. Resolution of the Council, re: Proclaiming April 2011 Fair Housing Month in the Town.**
- 5. Communication of Susan Erstling, Ph.D., LICSW Board Chair, re: Appreciation for support.**
- 6. Resolution of the Town of Glocester, re: Requesting support of resolution endorsing an amendment to RIGL 16-7-23 – to prevent a Regional School District from presenting an overall budget that reflects prior year(s) debt service which is no longer occurring, thereby preventing the funding of an expenditure that no longer exists.**
- 7. Resolution of the Town of Jamestown, re: Requesting support of Legislative Initiative of the Rhode Island Board of Elections to amend RIGL 17-11-1 “An Act Relating to Elections – Voting Districts and Officials”.**
- 8. Resolution of the Town of Jamestown, re: Requesting support of Legislation to amend RIGL 17-18-11 “An Act Relating to Elections – Elective Meetings”.**
- 9. Memorandum of Town Administrator, re: Continuance of Docket**

Items Relating to the Organization of the Fire Department. (Items #10, #11 and #12)

10. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administrator, Chapter 37 Civil Service, Subsection Organization of the Fire Department.

11. (Continued from the Regular Meeting, March 21, 2011)

Memorandum of Town Administrator, re: Revisions to Middletown Fire Department Rules and Regulations.

12. (Continued from the Regular Meeting, March 21, 2011)

Approval of Middletown Fire Department Rules and Regulations.

13. Communication of Sewer Assessor, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.

14. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.

15. Applications received from the following named persons, firms or corporations for RENEWAL of Holiday Sales License for the 2011-2012 licensing year. (See Attached List)

16. Application for Frank S. Santos dba Sandy's Liquors, 717

Aquidneck Avenue for RENEWAL of Sunday Selling License for the 2011- 2012 licensing year.

17. Application of the Aquidneck Island Police Parade Committee, Middletown, for RENEWAL of Peddler's License for (Novelties and T-Shirts) for Police Parade Day, May 1, 2011 includes a request to waive license fee. (6 Vendors; Middletown Only)

18. Communication of Corey A. Huck, Chairman, Aquidneck Island Police Parade Committee, re: Requesting "in-kind" services for police details, highway department personnel, and Town owned properties and to utilize Linden School as a staging area for the Aquidneck Island National Police Parade to be held on Sunday, May 1, 2011.

19. Application for Special Event Permit from the Aquidneck Island National Police Parade Committee for the Aquidneck Island National Police Parade beginning at 317 West Main Road proceeding into Newport (Broadway) to be held on Sunday, May 1, 2010 beginning at 11:50 a.m. (Parade Committee respectfully requests permit fee to be waived)

20. Application for Special Event Permit from the Middletown FOP Lodge #21 and Aquidneck Island National Police Parade Committee for the Aquidneck Island Five-0 5K at Sachuest Beach to be held on Saturday, April 23, 2011 beginning at 8:00 a.m. until 12:00 p.m.

(Attached is a request to waive permit fee)

PUBLIC HEARING

21. Public Hearing (Advertised)

Town of Middletown application for Small Cities Community Development Block Grant (CDBG) for certain projects, in an amount not to exceed \$400,000.

ORDINANCES

22. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title IX, General Regulations, Chapter 90 Animals, Subsection 90.01 Hunting Redistricted, Permit Required.

23. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title VII, Traffic Code, Chapter 74 Parking Schedules, Schedule II No Parking At Any Time.

24. An Ordinance of the Town of Middletown (Second Reading)

An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 37 Civil Service, Subsections (37.017) Negotiation of Authorized, (37.019)

Performance Reviews For Unclassified Employees, (37.026) Physical and Psychological Examinations, (37.027) Placement on Eligible Lists, (37.035) Notice of Rejection; Destruction of Applications, (37.036) Disqualification of Applicants, (37.037) Lateral Recruitment Appointment of Police and Fire, (37.047) Overtime Compensation, (37.061) Processing of Grievance to Department or Division Head, (37.062) Appeal to Town Administrator and Review Board, (37.075) Annual Leave Accrual, (37.078) Accrual of Sick Leave, (37.100) Separation From Classified Service, (37.103) Contributions to cost of plan and (37.105) Pension Benefits.

OTHER COMMUNICATIONS

25. Communication of Middletown Athletic Boosters, re: Requesting support by placing an ad in the Senior Athletic Awards Banquet program.

TOWN ADMINISTRATOR COMMUNICATIONS

26. Receipt of Town of Middletown proposed budgets, Fiscal Year 2011-2012.

27. Overview of FY 2011-2012 Proposed Department Budgets –

General Fund, Parks and Recreation Fund, Sewer Fund and Refuse and Recycling Fund.

APPOINTMENTS TO BOARDS AND COMMITTEES

28. Appointment of one (1) member to the Senior Center Board of Directors for a term expiring January 2014.

29. Appointment of one (1) member to the Open Space and Fields Committee to complete a term expiring November 2012.

30. Appointment of three (3) members to the Zoning Board of Review, one regular member, term expiring April 2016 and two alternate members terms expiring April 2012.

31. Appointment of eight (8) members to the Committee for the Arts, terms to be determined.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.